

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

CONSTANCE DEWOLFE
22313 St. Clemens Avenue
Leonardtown, MD 20650

Plaintiff,

v.

WACO, INC.,
5450 Lewis Road
Sandston, VA 23150

Defendant,

Case No.:

* * * * *

NOTICE OF REMOVAL

Petitioner/Defendant, Waco, Inc., (“Waco”), by and through its undersigned attorneys, pursuant to 28 U.S.C. § 1441 *et. seq.*, files this Notice of Removal of this action from the Circuit Court for St. Mary’s County, Maryland, in which it is now pending, to the United States District Court for the District of Maryland, and in support thereof respectfully avers as follows:

1. Waco, has been named as Defendant in a suit filed in the Circuit Court for St. Mary’s County, Maryland, Case No.: C-18-CV-21-000335. Suit was originally filed on or about December 27, 2021, and Waco was served on or about January 11, 2022, via hand delivery.

2. Waco is a corporation organized and existing under the laws of the State of Virginia, with its principal place of business located at 5450 Lewis Road, Sandston, VA, 23150.

3. Plaintiff, Constance DeWolfe, is and at the time of the alleged occurrence that is the subject of this Complaint, an individual residing at 22313 St. Clemens Avenue, Leonardtown, MD 20650 in St. Mary’s County, Maryland.

4. The above-entitled action is one in which this Court has original jurisdiction pursuant to Title 28 U.S.C. §1332. Waco seeks to remove this action to this Court under Title 28 U.S.C. §1441.

5. Filed herewith as **Exhibits 1 through 3** are copies of all pleadings and papers served on Waco, consisting of (1) Writ of Summons; (2) Complaint; and (3) St. Mary's County Circuit Court, Civil-Non-Domestic Case Information Report.

6. The above-entitled matter is a civil action in which the Plaintiff alleges negligence on the part of the Waco for failure to clean up after a mold and dust removal project at the District Court of Maryland for St. Mary's County, for which Plaintiff alleges she was injured and suffered damages and losses.

7. Waco is entitled to removal because there is complete diversity of citizenship between the Plaintiff and Waco and the amount in controversy exceeds \$75,000.00. Plaintiff is a resident of Maryland. Waco is a corporation organized and existing under the laws of the State of Virginia, with its principal place of business in Virginia.

WHEREFORE, Petitioner/Defendant, Waco, Inc., respectfully requests that the above-entitled action be removed from the Circuit Court for St. Mary's County, Maryland to the United States District Court for the District of Maryland.

Respectfully submitted,

/s/

Imoh E. Akpan (Fed. Bar ID No. 30070)

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Attorneys for Waco, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of February, 2022, a copy of the foregoing Notice of Removal was sent via first-class mail, postage pre-paid, to: Tucker Clagett, Esq., Andrews, Bongar, Gormley & Clagett, 11705 Berry Road, Suite 202, Waldorf, MD 20603, *Attorneys for Plaintiff, Constance DeWolfe.*

/s/

Imoh E. Akpan (Fed. Bar ID No. 30070)